

Attorney's Docket No.: 42P13961X2

Patent

In re the Application of: Mossberg et al. (inventor(s))

Application No.: 09/115,331

Filed: July 14, 1998

For: SEGMENTED COMPLEX DIFFRACTION GRATINGS (title)

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR: Transmitted herewith is an Election/Amendment for the above application.

Applicant claims small entity status. See 37 CFR 1.27.

XX **No additional fee is required.**

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra
Total Claims	* 16	Minus	** 35	0
Indep. Claims	* 2	Minus	*** 14	0
First Presentation of Multiple Dependent Claim(s)				

SMALL ENTITY	
Rate	Additional Fee
X25	\$
X100	\$
+180	\$
Total Add. Fee	\$

OTHER THAN A SMALL ENTITY	
Rate	Additional Fee
X50	\$ 0
X200	\$ 0
+360	\$
Total Add. Fee	\$ 0

* If the entry in Col. 1 is less than the entry In Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

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on January 21, 2005
Date of Deposit

Adrian Villarreal

Name of Person Mailing Correspondence

Signature

January 21, 2005
Date

A check in the amount of \$ _____ is attached for presentation of additional claim(s).
 Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to
37 C.F.R. § 1.136(a).

A check for \$ _____ is attached for processing fees under 37 C.F.R. § 1.17.

Please charge my Deposit Account No. 02-2666 the amount of \$ _____.

A duplicate copy of this sheet is enclosed.

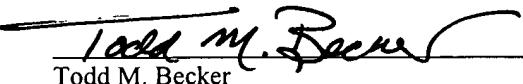
The Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 (**A duplicate copy of this sheet is enclosed**):

X Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any extension or petition fees under 37 C.F.R. § 1.17.

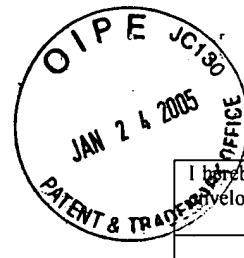
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 1-21-05



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EPW
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January 21, 2005	Adrian Villarreal		January 21, 2005
Date Mailed	Name	Signature	Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mossberg *et al.*

Serial No.: 09/115,331

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Docket No.: 42P13961X2

Examiner: Audrey Y. Chang, Ph.D.

Art Unit: 2872

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION AND AMENDMENT IN RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This amendment is submitted in response to the Office Action mailed December 21, 2004, for the above-noted patent application.

Species Election

Applicants hereby elect, without traverse, the species identified by the Examiner as species (B), comprising claims 56-62 and 63-71.

Amendment

All non-elected claims have been canceled, as indicated in the claim listing that follows.